

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
WQ-SHOW CO., LTD,

Plaintiff,

-against-

EAKA GROUP CORP.,

Defendant.
-----X

AZRACK, United States District Judge:

For Online Publication Only

ORDER

20-CV-1387 (JMA) (ST)

**FILED
CLERK**

12/29/2020 3:17 pm

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Before the Court is the motion of plaintiff WQ-Show Co., Ltd. (“Plaintiff”) for default judgment against defendant Eaka Group Corp. (“Defendant”). For the reasons stated herein, Plaintiff’s motion is **GRANTED**.

I. DISCUSSION

A. Defendant Defaulted

Defendant was properly served in the action, but has not answered, appeared in this action, or responded to the instant motion for default judgment, or otherwise defended this action.

B. Liability

When a defendant defaults, the Court is required to accept all the factual allegations in the complaint as true and draw all reasonable inferences in the plaintiff’s favor. Finkel v. Romanowicz, 577 F.3d 79, 84 (2d Cir. 2009). However, the Court also must determine whether the allegations in the complaint establish the defendant’s liability as a matter of law. Id. The Court finds that the allegations in the complaint are sufficient to establish Defendant’s liability.

C. Damages

“‘[W]hile a party’s default is deemed to constitute a concession of all well pleaded allegations of liability, it is not considered an admission of damages.’” Bricklayers & Allied Craftworkers Local 2, Albany, N.Y. Pension Fund v. Moulton Masonry & Const., LLC, 779 F.3d 182, 189 (2d Cir. 2015) (quoting Cement & Concrete Workers Dist. Council Welfare Fund v. Metro Found. Contractors, Inc., 699 F.3d 230, 234 (2d Cir. 2012)). The Court must conduct an inquiry to “ascertain the amount of damages with reasonable certainty.” Credit Lyonnais Sec., Inc. v. Alcantara, 183 F.3d 151, 155 (2d Cir. 1999) (citing Transatlantic Marine Claims Agency, Inc. v. Ace Shipping Corp., 109 F.3d 105, 111 (2d Cir. 1997)). The Court finds that Plaintiff has established \$509,872.00 in damages.

II. CONCLUSION

The Clerk of Court is respectfully directed to enter judgment against Defendant for \$509,872.00 in damages. Plaintiff is also directed to serve a copy of this Order on Defendant and file proof of service on ECF within seven (7) days. The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: December 29, 2020
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE